

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

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RICHARD JONES,

Plaintiff,

-against-

ORDER  
17-CV-6968 (JS) (GRB)

THE COUNTY OF SUFFOLK; SUFFOLK  
COUNTY POLICE DEPARTMENT; TIMOTHY  
SINI, Commissioner; DENNIS STEWART;  
MAX MOE #1; MAX MOE #2; and  
JANE OR JOHN DOE #1,

Defendants.

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APPEARANCES

For Plaintiff: Richard Jones, pro se  
427958  
Suffolk County Correctional Facility  
110 Center Drive  
Riverhead, NY 11901

For Defendants: No appearances.

SEYBERT, District Judge:

On November 29, 2017, incarcerated pro se plaintiff Richard Jones ("Plaintiff") filed a Complaint in this Court accompanied by an application to proceed in forma pauperis and an incomplete Prisoner Authorization Form ("Form"). Accordingly, by Notice of Deficiency dated December 1, 2017 ("Notice"), Plaintiff was instructed to complete and return the enclosed Form within fourteen (14) days from the date of the Notice in order for his case to proceed. Plaintiff was cautioned that his failure to timely file the Form may lead to the dismissal of his Complaint without prejudice and this case would be marked closed.

On December 11, 2017, December 13, 2017, and December 22, 2017, mail sent to the Plaintiff at his address of record was returned to the Court, and was marked "DISCHARGED", "RETURN TO SENDER", "UNABLE TO FORWARD". (See Docket Entries 10-12).

To date, Plaintiff has not filed the Form nor has he provided an updated address or otherwise communicated with the Court. Accordingly, Plaintiff appears to have abandoned this action and Plaintiff's Complaint is thus DISMISSED WITHOUT PREJUDICE pursuant to Federal Rule of Civil Procedure 41(b) for failure to prosecute.

The Court certifies pursuant to 28 U.S.C. § 1915(a)(3) that any appeal from this Order would not be taken in good faith and therefore in forma pauperis status is DENIED for the purpose of any appeal. See Coppedge v. United States, 369 U.S. 438, 444-45, 82 S. Ct. 917, 8 L. Ed. 2d 21 (1962).

The Clerk of the Court is directed to CLOSE this case and to mail a copy of this Order to the pro se Plaintiff.

SO ORDERED.

/s/ JOANNA SEYBERT  
JOANNA SEYBERT, U.S.D.J.

Dated: April 5, 2018  
Central Islip, New York